



INTELLECTUAL PRELIMINARY AMENDMENT

Serial Number: 10/784,476

Filing Date: February 23, 2004

Title: HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION

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Docket No: 295.044US3

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-51 (Cancelled).

52. (Original) A method for treating noncancerous diseases in or near bone wherein said method comprises administering to a mammal in need of such treatment a dosage of a radionuclide complexed with a bone targeting ligand, or a physiologically acceptable salt thereof; wherein from about 250 to about 3000 megabecquerels per kilogram of body weight of the radionuclide is administered, without use of TBI.

53. (Original) A method of claim 52, wherein the disease is polycythemia vera, macroglobulinemia (Waldenstrom syndrome), megakaryocytic myelosis, or malignant histiocytosis.

Claims 54-79 (Cancelled).

80. (Original) A method for treating a patient afflicted with a hematopoietic genetic defect wherein said method comprises administering to a mammal in need of such treatment bone marrow suppressing dosage of a radionuclide complexed with a bone targeting ligand, or a physiologically acceptable salt thereof; wherein from about 250 to about 3000 megabecquerels per kilogram of body weight of the radionuclide is administered and; administering a therapeutic gene to said patient.

81. (Currently Amended) The method of claim 80 wherein a transgenic stem cell comprising a recombinant normal human gene is administered to the ~~patient~~ patient following suppression of the bone marrow.

Claims 82-85 (Cancelled).

SUPPLEMENTAL PRELIMINARY AMENDMENT

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Conclusion

Applicants have cancelled claims 1-51, 54-79 and 82-85 and amended claim 81. The pending claims are 52, 53, 80 and 81.

Applicants respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6903 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully Submitted,

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By their Representatives,

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CERTIFICATE UNDER 37 CFR § 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelop addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4th day of June 2004.

Name Dawn M. Poole Signature Dawn M. Poole